

**UNITED STATES DISTRICT COURT  
DISTRICT OF NEW HAMPSHIRE**

STATE OF NEW JERSEY, DEPARTMENT OF  
TREASURY, DIVISION OF INVESTMENTS BY  
TREASURER JOHN E. McCORMAC, on behalf of  
the COMMON PENSION FUND A, DCP EQUITY  
FUND, DCP SMALL CAP EQUITY FUND,  
SUPPLEMENTAL ANNUITY COLLECTIVE  
TRUST FUND, NJ BEST POOLED EQUITY  
FUND, and TRUSTEES FOR THE SUPPORT OF  
PUBLIC SCHOOLS FUND,

Plaintiffs,

v.

TYCO INTERNATIONAL LTD., L. DENNIS  
KOZLOWSKI, MARK H. SWARTZ, MARK A.  
BELNICK, PRICEWATERHOUSECOOPERS,  
LLP, PRICEWATERHOUSECOOPERS, FRANK  
E. WALSH, JR., RICHARD S. BODMAN, JOHN  
F. FORT, III, JAMES S. PASMAN, JR., and  
WENDY E. LANE,

Defendants.

Civ. No. 03-1337-B

MDL No. 1335

**AGREED ORDER AND  
FINAL JUDGMENT OF  
DISMISSAL AGAINST  
DEFENDANTS TYCO  
INTERNATIONAL LTD.,  
MARK A. BELNICK,  
RICHARD S. BODMAN,  
JOHN F. FORT, III, JAMES S.  
PASMAN, JR. AND WENDY  
E. LANE AND BAR ORDER**

**AGREED ORDER AND FINAL JUDGMENT OF DISMISSAL AGAINST  
DEFENDANTS TYCO INTERNATIONAL LTD., MARK A. BELNICK, RICHARD S.  
BODMAN, JOHN F. FORT, III, JAMES S. PASMAN, JR. AND WENDY E. LANE AND  
BAR ORDER**

Plaintiffs and Defendants Tyco International Ltd., Mark A. Belnick, Richard S. Bodman,  
John F. Fort, III, James S. Pasman, Jr. and Wendy E. Lane (each of them a "Settling Party" and  
collectively, the "Settling Parties"), having represented to the Court that they have entered into a

settlement agreement that resolves all issues between and among them in the Second Amended Complaint, and for good cause shown, the Court ORDERS:

1. Pursuant to Section 21D-4(f)(7)(A) of the Private Securities Litigation Reform Act of 1995, 15 U.S.C. § 78u-4(f)(7)(A): (a) Defendants L. Dennis Kozlowski, Mark H. Swartz, Frank E. Walsh, Jr., PricewaterhouseCoopers and PricewaterhouseCoopers LLP (collectively, the "Non-Settling Defendants"), and each of them, are hereby permanently barred, enjoined, and restrained from commencing, prosecuting, or asserting any claim for or otherwise seeking contribution against any Settling Party based upon, relating to, or arising out of the subject matter, allegations, transactions, facts, matters, occurrences, representations or omissions alleged, involved, set forth or referred to in the Second Amended Complaint in this suit; and (b) each Settling Party is hereby permanently barred, enjoined, and restrained from commencing, prosecuting, or asserting any claim for or otherwise seeking contribution for any amount paid in connection with this action against any other person based upon, relating to, or arising out of the subject matter, allegations, transactions, facts, matters, occurrences, representations or omissions alleged, involved, set forth or referred to in the Second Amended Complaint in the suit.

2. Because there is no just reason for the delaying the entry of a final judgment with respect to the claims asserted by Plaintiffs against the Settling Parties, all claims asserted by Plaintiffs against the Settling Parties in the Second Amended Complaint are DISMISSED WITH PREJUDICE pursuant to Federal Rule of Civil Procedure 54(b). This action is not dismissed with respect to any claims against the Non-Settling Defendants.

3. The Clerk is directed to enter this Agreed Order and Final Judgment of Dismissal against Defendants Tyco International Ltd., Mark A. Belnick, Richard S. Bodman, John F. Fort,

III, James S. Pasman, Jr. and Wendy E. Lane and Bar Order as a final judgment and send a copy of same to all counsel of record.

IT IS SO ORDERED.

July 21, 2008

/s/ Paul Barbadoro  
The Hon. Paul Barbadoro  
United States District Judge

cc: Counsel of Record